

## REMARKS

### A. 35 U.S.C. § 102

In the Office Action of October 15, 2004, claims 17, 31 and 32 were rejected under 35 U.S.C. § 102(b) as being anticipated by Molnar. Claims 17 and 31 have been canceled rendering their rejections moot. Regarding claim 32, it has been amended to depend from claim 33 which has been indicated to contain allowable subject matter. Accordingly, the rejection has been overcome and should be withdrawn.

Note that claim 32 has been amended to provide additional coverage for the method of claim 33 and so its amendment is not related to patentability as defined in *Festo Corporation v. Shoketsu Kinzoku Kogyo Kabushiki Co., Ltd*, 234 F.3d 558, 56 USPQ2d 1865 (Fed. Cir. 2000) (*en banc*), *overruled in part*, 535 U.S. 722 (2002).

### B. Claims 18-30 and 34-39

Applicant notes with appreciation that claims 18-30 and 34-39 have been indicated to be allowable.

The Office Action has provided a statement of reasons for the allowance of claims 18, 21 and 34. Applicant traverses the statement in that there are broader and other reasons why the claims are allowable.

### C. Claim 33

Applicant notes with appreciation that claim 33 has been indicated to contain allowable subject matter. Claim 33 is being amended in independent form. Accordingly, claim 33 and its dependent claim 32 should be allowed.

Please note that claim 33 has been amended so as to incorporate subject matter that was

inherently present in the claims. Accordingly, the amendments of claim 33 are not being presented for reasons of patentability. *See, Festo Corporation v. Shoketsu Kinzoku Kogyo Kabushiki Co., Ltd*, 535 U.S. 722 (2002).

## CONCLUSION

In view of the arguments above, Applicant respectfully submits that all of the pending claims 18-30 and 32-39 are in condition for allowance and seek an early allowance thereof. If for any reason, the Examiner is unable to allow the application in the next Office Action and believes that an interview would be helpful to resolve any remaining issues, she is respectfully requested to contact the undersigned attorneys at (312) 321-4200.

Respectfully submitted,



John C. Freeman  
Registration No. 34,483  
Attorney for Applicant

BRINKS HOFER  
GILSON & LIONE  
P.O. Box 10395  
Chicago, Illinois 60610  
(312) 321-4200

Dated: December 3, 2004